



17F  
EPW

MAIL STOP AF

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Primary Application of

MATTHEW R. HYRE ET AL

: Art Unit: 1731

Serial No: 10/005,567

: Examiner: Carlos N. Lopez

Filed: December 5, 2001

: Docket No: 5352-05

For: GLASS CONTAINER FORMING MACHINE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO:  
COMMISSIONER OF PATENTS AND TRADEMARKS, P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450 on: January 25, 2007

John L. Gifford

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**NOTICE OF APPEAL**

Applicants hereby appeal to the Board of Appeals from the decision dated November 16, 2006 of the Primary Examiner finally rejecting claims 1-6 to reinstate the Appeal pursuant to §1204.01. It is Appellant's understanding that the previously paid Notice of Appeal fee (filed on October 26, 2005) covers this Notice of Appeal.

Should any additional fees be due, the Commissioner is hereby authorized to charge Deposit Account No. 50-0696.

Respectfully submitted,

By

Spencer T. Smith  
Attorney for Applicants  
Reg. No. 25,926

January 25, 2007

Emhart Glass Research Inc.  
89 Phoenix Avenue, PO Box 1229  
Enfield, CT 06083-1229  
(860) 814-4052  
(860) 814-4173 (fax)

APPEAL FOR